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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,581	05/03/2001	James R. Durkee	007412.00096	8709
71867	7590	01/05/2012	EXAMINER	
BANNER & WITCOFF , LTD			LONSBERRY, HUNTER B	
ATTORNEYS FOR CLIENT NUMBER 007412				
1100 13th STREET, N.W.			ART UNIT	PAPER NUMBER
SUITE 1200				2421
WASHINGTON, DC 20005-4051				
			MAIL DATE	DELIVERY MODE
			01/05/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Corrected Notice of Allowability	Application No.	Applicant(s)	
	09/848,581	DURKEE ET AL.	
	Examiner	Art Unit	
	HUNTER LONSBERRY	2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 12/8/11.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 9-24 and 26-36.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)
2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)
3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 5. <input type="checkbox"/> Notice of Informal Patent Application
6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. <input type="checkbox"/> Examiner's Amendment/Comment
8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
9. <input type="checkbox"/> Other _____. |
|--|---|

/Hunter B. Lonsberry/
Primary Examiner, Art Unit 2421

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

In light of the BPAI decision and applicant's amendments, the prior art of record fails to neither disclose nor sufficiently suggest the combination of features as claimed and arranged by applicant.

Claims 9-24 and 26-36 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNTER LONSBERRY whose telephone number is (571)272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571)272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hunter B. Lonsberry
Primary Examiner
Art Unit 2421

/Hunter B. Lonsberry/
Primary Examiner, Art Unit 2421